

**All corrections to notes on this calendar should be filed no later than 12 P.M. (Noon) on 10-28-08.**

**Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case.** The update to these notes will be posted in the late afternoon of the following day.

The Probate Examiners can be reached at [ProbateNotes@courts.sbcounty.gov](mailto:ProbateNotes@courts.sbcounty.gov). Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. **PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES.** No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH PROBATE

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: BC BS00003

CASE NAME: IN THE MATTER OF TAMMY ANN ROHRER

HEARING:  
Accounting Review

COUNSEL:  
TAMMY ANN ROHRER (CEP)...  
ELIZABETH ANN SCHMITT (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Matter is set for accounting review. No accounting has been filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as  
specified in Pr. C. § 2620.2. There is no bonding company to notice.

NMT

Rancho Cucamonga District  
CIVCAL4 Rancho District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: GARRS700070

CASE NAME: SAMANTHA ANDERSON

SEE ALSO 3

HEARING:

Hearing Re: Visitation

COUNSEL:

GRACE BLACKMON	(PET)...	JAMES B CHURCH
SAMANTHA ANDERSON	(MIN)...	ELIZABETH MCDONOUGH
DOUGLAS ANDERSON	(RES)...	GREGORY T ANNIGIAN

GENERAL INFORMATION

Continued from 02/11/08. At the 02/11 hearing, court and counsel conferred on the record. A 730 evaluation to be completed on Douglas Anderson by Dr. Suitor. Visits are to be every Sunday; monitored.

Continued from **5/12/08 and 7/7/08** at request of counsel to complete 730 evaluation.

**Continued from 8-25-08. There is an evaluation of Douglas Anderson in the file. Do not see a full 730 on all parties. Douglas Anderson has filed certificate of completion of child development and parenting education. Court has re-referred matter to Family Court Services. We are awaiting report.**

THIS CASE SET FOR HEARING ON re: Visitation

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Drug test results in confidential envelope.

RECOMMENDATION

Court's discretion

(cbr/kra/GLS/NMT )

X REF PRO0700743

Rancho Cucamonga District  
CIVCAL4 Rancho District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: GARRS700070

CASE NAME: SAMANTHA ANDERSON  
SEE ALSO 2

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GRACE BLACKMON	(PET)...	JAMES B CHURCH
SAMANTHA ANDERSON	(MIN)...	ELIZABETH MCDONOUGH
DOUGLAS ANDERSON	(RES)...	GREGORY T ANNIGIAN

GENERAL INFORMATION:

Temporary orders granted on 8/17/07 (with \$20,000 bond requirement)  
Continued from **9/17/07 and 10/22/07**. Court refers parties to Family Court  
Services for mediation re visitation. Court notes that \$20,000 bond is to be filed.  
Continued from 12/20/07 at request of counsel for Judge Welch to hear the  
matter.

Continued from **5/12/08 and 7/7/08** at request of counsel to complete 730  
evaluation.

**Continued from 8-25-08. There is an evaluation of Douglas Anderson in the  
file. Do not see a full 730 on all parties. Court re-referred matter to Family  
Court Services. We are awaiting report.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person and  
estate, filed by maternal grandmother, minor 1

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED;

1. Mother is deceased.
2. Father was personally served on 8/14/07
3. Petitioner alleges current value of guardianship is \$0.00. However,  
minor is sole beneficiary of mother's estate (\$1m). Court ordered

minimum bond of \$20,000 to be filed and advised petitioner to notify the court within 72 hours when minimum bond is insufficient.

4. Need Family Court Services (FCS) report re visitation recommendation.

**RECOMMENDATION:**

Need FCS report, then Court's discretion. If approved, set future hearings for filing of Inventory & Appraisal on 6-17-09 and for Accounting Review on 1-13-10. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(/kra/GLS/NMT )

XREF PRO0700743

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700075

CASE NAME: MTR OF GLENDORA JOHNSON

HEARING:

OSC re: Failure to file an accounting (John Watson)

COUNSEL:

JOHN F WATSON (PET)...MICHAEL S. ARNOLD  
GLENDORAH JOHNSON (DEC)...  
JANET HINDS (PET)...CONSTANCE J LARSON

GENERAL INFORMATION

Continued from 6/18/08. No appearance. Clerk mailed notice.

**Continued from 8-6-08. When the petitioner failed to file a status report/accounting the court set the matter for O.S.C. re failure to file status report. In response to the O.S.C. the petitioner filed a status report. The notes below relate to the status report. At the time of the 8-6 hearing petitioner alleged that there was an offer on the property. Minute order states, "Counsel to file notice for sale." It is presumed that this means a Notice of Proposed Action. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON O.S.C. re failure to file an accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Original representative was appointed 4/11/07, no bond.
2. Resignation of original representative and appointment of successor representative granted 5/21/08.
3. Status report filed. Petitioner, Janet Hinds on behalf of John Watson, indicates the estate is not in a position to close. All costs of the administration incurred to date have not been paid. Additionally, petitioner alleges the only asset is the decedent's residence. The property is currently listed for sale and the estate will not be ready to

- close until the real property is sold. Petitioner fails to set forth an estimated time to close the estate. Need to file verified supplement.
4. Proof of service filed on pleading paper. However, need notice of hearing and proof of service in accord with Pr. C. § 12201. **This form of notice is mandatory.**

#### RECOMMENDATION

Need to clear notes.

Abs/abs/cbr/NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700095

CASE NAME: MTR OF HAROLD JAMES FLORES

HEARING:  
Probate status report filed.

COUNSEL:  
DONNA GONZALES (PET)...FULLERTON LEMANN SCHAEFFER  
HAROLD JAMES FLORES (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON probate status report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Estate is not in a condition to close due to the need to sell real property.
2. There are 3 creditor's claims that have not been acted upon.

RECOMMENDATION:

Recommended for approval absent objection. Set hearing for the next status report and/or account for 11-10-09. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

NMT



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700257

CASE NAME: HAROLD R. NELSON

HEARING:  
Accounting Review

COUNSEL:  
MARK DENNY (PET)...ROBERT R BOWNE  
HAROLD R NELSON (DEC)...  
DEPARTMENT OF HEALTH CARE SERV(TP )...PRO/PER

GENERAL INFORMATION Continued from **7-22-08** to file accounting. Nothing new filed.

**Continued from 9-23-08. No one appeared and nothing was filed. Court continued matter and clerk gave notice.**

THIS CASE SET FOR HEARING ON Accounting Review and/or Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting filed and scheduled for hearing on 11-17-08.

RECOMMENDATION: Matter may go off calendar.  
(cbr/NMT )

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700275

CASE NAME: PAMELA JEANNE SCHANK

HEARING:  
Accounting Review

COUNSEL:  
RHONDA SCHANK ASCIO (PET)...HORSPOOL & PARKER  
PAMELA JEANNE SCHANK (DEC)...  
RYAN SCHANK (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Matter is set for accounting review. No accounting/ status report has been filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050. Clerk will have to notice bonding company.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700289

CASE NAME: CAROLE ANN BOMAR

HEARING:

FIRST Account and Report of JENNIFER M THOMAS and Petition for allowance of fees filed.

COUNSEL:

JENNIFER M THOMAS (PET)...SABBAH & MACKOUL  
CAROLE ANN BOMAR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON first account current.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the sole heir and only interested person.
2. The estate consists of real property only. Until property is sold there is no money to pay costs of administration. There is also an ancillary probate in Hawaii. If the property sells there, assets may be available to pay costs of administration.
3. In addition to the above the petitioner alleges that it has just been learned that there may be additional property in Northern California. That matter is being investigated.
4. At page 2, line 10 petition states, "... property is located at." The petition fails to list the common address of the property in question. File verified supplement with the common address.
5. There is no objection in the file.

RECOMMENDATION:

Need correction to note 4. If petition granted court will have to set future dates. Set hearing for the next status report and/or account for 11-10-09. Any accounting to be filed 30 days in advance. Estate to remain open until that time.  
NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700373

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991  
SEE ALSO 10 11

HEARING:

Hearing Re: APP TO DET PROP ACTN DOES NOT VIOLATE TRUST

COUNSEL:

JAMES COOK	(PLA)...SLOVAK BARON & EMPEY
KIMBERLY COOK	(RES)...LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )
CONNIE FIFE	(JOHN P DEILY )...JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY )

GENERAL INFORMATION No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700373

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991  
SEE ALSO 9 11

HEARING:  
Motion Re: ORDER COMPELLING SCOTT FRIDLEY TO PROVIDE  
RESPONSES  
Filed by Petitioner CONNIE H FIFE

COUNSEL:	
CONNIE H FIFE	(PET)...JOHN P DEILY
JAMES COOK	(PLA)...SLOVAK BARON & EMPEY
KIMBERLY COOK	(RES)...LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY

GENERAL INFORMATION No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700373

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991  
SEE ALSO 9 10

HEARING:

Motion Re: PROTECTIVE ORDER SCHEDULING DEPOSITION - Filed by  
Petitioner CONNIE H FIFE

COUNSEL:

CONNIE H FIFE	(PET)...JOHN P DEILY
JAMES COOK	(PLA)...SLOVAK BARON & EMPEY
CONNIE FIFE	(PLA)...JOHN P DEILY
KIMBERLY COOK	(RES)...LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )...LAW
OFFIC	
CONNIE FIFE	(JOHN P DEILY )...JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY )...LAW
OFFIC	
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY
)...SLOVAK BA	
JAMES COOK	(SLOVAK BARON & EMPEY )...SLOVAK
BA	

GENERAL INFORMATION No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0701141

CASE NAME: MARCY JANE ROSEN

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
HARRY ROSEN (PET)...J  
MARCY JANE ROSEN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has been filed.
2. Section 5 of inventory and appraisal not completed. File verified supplement.

RECOMMENDATION:  
Need correction to note 2.

FUTURE HEARINGS CURRENTLY SET: 6-9-09 for accounting review.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800360

CASE NAME: JOYCE E. BLAIR

HEARING:

FIRST AND FINAL Account and Report of JODY L. SAYRE and Petition  
for allowance of fees filed.

COUNSEL:

JODY L. SAYRE	(PET)...	SIDNEY W JONES
JOYCE E. BLAIR	(DEC)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Did decedent's predeceased spouse receive health care benefits from the Department of Health Services? File verified supplement.
2. Was notice required or given to California Victim Compensation and Government Claims Board? File verified supplement.
3. Has all cash been kept in interest bearing accounts? File verified supplement.
4. Please indicate if there was any family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. File verified supplement. (Pr.C. § 1064(a)(4))
5. Petitioner requests authority to withhold \$100 in closing costs.
6. Estate had to borrow \$10,000, at no interest, to cover expenses of the estate.
7. Statutory fees are \$7,838.61.

RECOMMENDATION:



Need to correct notes. If petition granted court will have to set future dates. Set hearing for filing of receipts and discharge for 11-10-09. Court will need to vacate hearing dates of 12-30-08 and 8-4-09.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800779

CASE NAME: LETHA JUNE FRAZIER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

GUY C PROTEAU (PET)...STEVE FOX  
LETHA JUNE FRAZIER (DEC)...

GENERAL INFORMATION **Continued from 9-30-08 at the request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and  
no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Will waives bond.
2. Will is not self proving under California rules. However, this is a military will and the Federal Government has passed laws which make the will valid even if it doesn't comply with our rules, as long as complies with the military requirements. See 10 U.S.C. 1044d. It appears that the will complies with Federal regulations.
3. The following persons did not get timely notice: Cheryl Miller, Robyn Borich and Heather Stanics. Need proper Notice of Petition to Administer Estate with proof of service. **A supplement was filed showing that they had been served, but service was not timely.**

RECOMMENDATION:

Need to correct note 3. If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 6-16-09. Set hearing for filing of accounting and/or status report for 1-12-10. Any accounting to be filed 30 days in advance.

NMT/cbr/NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800847

CASE NAME: MTR OF GRAIG & RENEE ANGEL FAMILY TRUST

HEARING:  
Petition for FOR ORDER DETERMINING INTEREST IN REAL PROPERTY

COUNSEL:  
RENEE J ANGEL (PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition to determine interest in real property.

#### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This is a Pr.C. § 850 petition.
2. Petitioner is the trustee of the Angel Family Trust. Craig and Renee Angel created the Angel Family Trust on 1-18-94. Craig died 7-18-08. Certain real property was listed in Schedule A of the trust, but was never actually deeded to the trust. The petitioner seeks an order from the court indicating that the property is in fact property of the trust. Petitioner offers no authority for the request.
3. File notice of hearing and proof of service in accord with Pr.C. § 851.
4. If the assets are set forth in Schedule A of the trust this establishes an intent on the part of the settlor that the assets be a part of the trust. It is not necessary to actually transfer by deed to the trust. (*Estate of Heggstad* (1993) 16 Cal. App. 4th 943.) Here the facts of the case comply with the requirements of the *Heggstad* case.
5. There is no opposition in the file at the time of this review.

#### RECOMMENDATION:

Need proper notice.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800855

CASE NAME: JEANNIE CLAIRE MORGAN

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

STEPHANIE STONEBRAKER (PET)...PHILIPSON & ERDMIER  
JEANNIE CLAIRE MORGAN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to administer, with full  
Independent Administration of Estates Act authority and \$175,000 bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner requests bond in the amount of \$175,000. Based on the  
information in the file the amount requested appears adequate.
2. File Notice of Petition to Administer Estate with proof of service.
3. File proof of publication.

RECOMMENDATION:

Need to correct notes. If petition granted court will have to set future dates. Set  
hearing for filing of inventory and appraisal for 6-16-09. Set hearing for filing of  
accounting and/or status report for 1-12-10. Any accounting to be filed 30 days in  
advance.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800857

CASE NAME: AGNES S. BALDWIN TRUST

HEARING:  
Petition for FOR INSTRUCTIONS

COUNSEL:

PATRICIA LAWYER (TEE)...JEFFREY C. MAYES  
JOSEPH NAPOLI (JEFFREY C. MAYES )...JEFFREY C

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for instructions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The petition appears to be misnamed. The petitioner is not really asking the court to instruct the petitioner to do anything, rather, the petitioner is asking the court to make a determination and ruling on who owns the property. This is more properly brought as a Pr.C. § 850 petition or a Pr.C. § 17200(b)(2) determining the rights of a trust. Court may wish to require the petitioner to bring the petition under the proper code section.
2. On 4-21-95 Agnes Baldwin created the Agnes Baldwin Trust. It is unclear from the petition if Ms. Baldwin ever deeded the assets to the trust. The "List of Assets" (commonly referred to as a Schedule A) contained the assets that were intended to be a part of the trust. At page 3, lines 1-3 petitioner alleges, "In February, 2008, \$94,750.90 of the Class A shares of American Funds were transferred to the cash money fund for the purpose of paying medical, rehabilitation and assisted living services of Agnes Baldwin prior to her death." The examiner is not certain of the relevance of this statement. The statement does not indicate who did the transferring, if it caused the asset to be outside the trust, or what other effect might have occurred as the result of the transfer. Please file verified supplement

- indicating if any of the assets were transferred out of the trust, if so, by whom, or if we are merely tracing one asset form to another asset form.
3. Petitioner does cite the case of *Estate of Heggstad* (1993) 16 Cal. App. 4th 943 and it is therefore assumed that petitioner is requesting that the assets that are on the List of Assets be deemed assets of the trust. If the assets are set forth in Schedule A of the trust this establishes an intent on the part of the settlor that the assets be a part of the trust. It is not necessary to actually transfer by deed to the trust. Here the facts fall within the confines of the *Heggstad* ruling, assuming there were no subsequent intervening acts by the settlor changing the nature of the assets from trust assets to personal assets.

**RECOMMENDATION:**

Court will have to determine if the court wishes to require the petitioner to re-file this petition under the proper code section and require that it be properly titled, so as to give notice to all interested parties what the real intent of the petition is. Need correction of notes, then court's discretion.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800869

CASE NAME: LUCILLE M SESLER FAMILY TRUST

HEARING:  
Petition for DECLARATORY RELIEF AUTHORIZED BY PROBATE CODE  
SECTION 21320

COUNSEL:  
MARK BRIEN SESLER (PET)...SIDNEY W JONES

GENERAL INFORMATION No calendar notes. Judge to decide.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: RPRRS02669

CASE NAME: LEO ROGERS CARROLL

HEARING:  
Accounting Review

COUNSEL:  
JANE BAUER (PET)...SUZANNE M GRAVES  
LEO ROGERS CARROLL (DEC)...  
BOND SERVICES OF CALIFORNIA (TP )...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting and/or status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Status report filed. Estate is not in a condition to close due to the need to sell real property.
2. File notice of hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

#### RECOMMENDATION:

Need proper notice. If petition granted court will have to set future dates. Set hearing for the next status report and/or account for 11-10-09. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

NMT



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: RPRRS02671

CASE NAME: BETTY GENE GOTTFRIED  
SEE ALSO 21 22

HEARING:

Motion Re: NTC OF MOTION AND MOTION TO BE RELIEVED AS COUSEL  
Filed by Petitioner GREGORY T WHITE

COUNSEL:

GREGORY T WHITE (PET)...WILKINSON & WILKINSON  
BETTY GENE GOTTFRIED (DEC)...  
BETTY GENE GOTTFRIED (DEC)...  
PHIL R WHITE (PET)...FARMER & RIDLEY  
PHIL R WHITE (OBJ)...FARMER & RIDLEY

GENERAL INFORMATION **Continued from 9-16-08. Nothing new filed on this issue.**

THIS CASE IS SET FOR HEARING ON petition to be relieved as attorney of record.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the attorney for Gregory T. White. Petitioner alleges that there has been an irreconcilable breakdown in the attorney/client relationship.
2. The notice of hearing and proof of service indicates that the persons served are on the list attached to the proof of service. There is no list attached. File a proper notice of hearing and proof of service.
3. There is no opposition in the file at the time of this review.

RECOMMENDATION:

Require proper proof of service. Then court's discretion.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
-----

CASE #: RPRRS02671

CASE NAME: BETTY GENE GOTTFRIED  
SEE ALSO 20 22

HEARING:  
Petition for REMOVAL OF ADMINISTRATOR FOR  
WASTE, EMBEZZLEMENT AND  
D MISMANAGEMENT OF ESTATE AND WRONGFUL NEGLECT ET

COUNSEL:  
GREGORY T WHITE (PET)...WILKINSON & WILKINSON  
BETTY GENE GOTTFRIED (DEC)...  
PHIL R WHITE (PET)...FARMER & RIDLEY  
PHIL R WHITE (OBJ)...FARMER & RIDLEY

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition to remove administrator and appointment of new administrator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is Phil White. He alleges that the current administrator has wasted, embezzled and mismanaged the estate and has wrongfully neglected a court order.
2. Petitioner has had a citation issued for the administrator, but we do not have proof of service in the file.
3. There is no objection in the file at the time of this review.
4. Petitioner requests that after the administrator is removed that he be named the successor administrator. However, petitioner has not filed a Judicial Council form petition for appointment. In order to be appointed he must file all the same documents as the original petitioner, save the proof of publication, which is not required for a successor.

RECOMMENDATION:

Require return of citation. If court removes current administrator then there will be an opening for a successor. Court should require petitioner to file the appropriate documents for appointment.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
-----

CASE #: RPRRS02671

CASE NAME: BETTY GENE GOTTFRIED  
SEE ALSO 20 21

HEARING:  
FIRST AND FINAL Account and Report of GREGORY T WHITE and  
Petition for allowance of fees filed.

COUNSEL:  
GREGORY T WHITE (PET)...WILKINSON & WILKINSON  
BETTY GENE GOTTFRIED (DEC)...  
PHIL R WHITE (PET)...FARMER & RIDLEY  
PHIL R WHITE (OBJ)...FARMER & RIDLEY

GENERAL INFORMATION:  
Continued from 4/15/08. Nothing new filed.  
Continued from **06/03/08** at request of counsel.  
Continued from **8-5-08**. Court issued a bench warrant in the amount of \$200,000  
when administrator failed to appear. Court ordered an accounting for 10-07 to 7-  
31-08. Court ordered all remaining funds be placed into the client/trust account.  
Nothing new filed.

**Continued from 8-5-08. Nothing new filed on this issue. However, see  
preceding page.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for  
Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner has paid a filing fee of \$180.00 which fee is exempt  
under Gov. Code §70658(d). Court may wish to order  
reimbursement of fee.
2. Petitioner alleges that beneficiary, Georgianna White, decedent's  
sister, was living in decedent's home and after decedent's death,

she conducted an estate sale (but prior to the commencement of the probate proceedings) and collected \$15,902. Additionally, Georgianna White sold decedent's antiques prior to the establishment of the probate and collected \$5,714.75. Petitioner requests that Georgianna White's share be surcharged in the total amount of \$21,616.75. It should be noted that a person who is not a fiduciary is not subject to surcharge. Judge to decide.

3. Petitioner alleges that he prematurely advanced funds to himself from the estate account totaling \$42,739.49. Petitioner is entitled to a statutory commission of \$8,882.25 and reimbursement of the filing fee of \$281.50. These amounts deducted from \$42,739.49 would leave a balance of \$33,575.74 which should be surcharged from petitioner's share. Petitioner's share is equal to \$21,855.04. Therefore, he owes the estate \$15,411.10. Petitioner proposes to sign a promissory note to the remaining four beneficiaries in the sum of \$3,852.77 each. How does petitioner arrive at these calculations? File verified supplement.
4. Attorney requests statutory compensation of \$8,882.25. Ok.
5. Attorney requests extraordinary fees of \$1,100.00 for services rendered in connection with the real property sale. Billed at \$275/hour for 4 hours. Itemized. JTD
6. Attorney requests reimbursement of costs of \$1,928.69. Itemized.
7. **Objections filed by heir/brother, Phil White. Supplemental objections filed. SDT re bank records also filed.**

**RECOMMENDATION:**

Need verified supplement re note 3. Set for contested hearing.  
(gl/abs/cbr/NMT )

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: RPRRS02927

CASE NAME: CHRISTINE JUNE FAIRBANK

HEARING:  
Hearing re Final Discharge

COUNSEL:  
ROGER R REMLINGER (PET)...ROBBINS & HOLDAWAY  
CHRISTINE JUNE FAIRBANK (DEC)...

**GENERAL INFORMATION Continued from 9-16-08. No one appeared. Clerk gave notice to attorney of record.**

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipts have been filed.
2. Need exparte petition for final discharge.

RECOMMENDATION:

If no one appears the court will have to issue citations and order them personally served. Clerk will have to notice bonding company.

NMT

San Bernardino Superior Court  
CIVCAL4 San Bernardino District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: SCVSS253601

CASE NAME: BELAN ET AL -V- ST BERNARDINE MED CTR ET AL  
SEE ALSO 31

HEARING:

FIFTEENTH Account and Report of DENNIS J HEALEY and Petition for allowance of fees filed.

COUNSEL:

KIM LISA BLACK	(PLA)...HEALY & HEALY
MICHAEL BLACK	(PLA)...HEALY & HEALY
DENNIS J HEALEY	(PET)...HEALY & HEALY
ST BERNARDINE MEDICAL CENTER	(DEF)...THOMPSON & COLEGATE
EDWARD DAINKO MD	(PATTERSON RITNER LOCKWOOD ZANG
NORMAN J GOLDBERG MD	(BONNE JONES BRIDGES MUELLER &
JOHN P KEARNEY MD	(BAKER SILBERBERG & KEENER
SAMUEL SEPUYA MD	(TUVERTSON & HILLYARD )...TUVERTSON
CHITTIVELU SESHIAIAH	(JOHN D MCCURDY )...JOHN D MC

GENERAL INFORMATION This is the accounting of a Special Needs Trust.  
Accounting period is 7-1-07 through 6-30-08.  
Assets: \$137,719.70 cash  
\$405,364.91 non-cash assets.

THIS CASE IS SET FOR HEARING ON 15<sup>th</sup> accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Initially the mother of the beneficiary cared for her. Since her death the sister of the beneficiary has cared for her. The sister is Doreen Belan-Gann. She is paid \$315 per week for which is based on 3 hours a day 7 days a week at \$15 per hour.
2. Trustee fees are  $\frac{3}{4}$  of 1% of the market value of the trust assets. Trustee overpaid himself in 2007 by \$35.25, which was deducted from fees collected in 2008. In 2007 fees collected were \$3,991.72. Fees collected

in 2008 were \$1,951.81. Petitioner requests authority of the court to continue to pay himself at that rate.

3. There are receipts in the file for all expenditures.
4. There are no objections in the file at the time of this review.

**RECOMMENDATION:**

Recommended for approval absent objection. Set hearing for the next account for 9-15-09, to cover the period of 7-1-08 through 6-30-09. Accounting to be filed 30 days in advance.

NMT

XREF MCMS00031



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06013

CASE NAME: REYNA HERNANDEZ SPECIAL NEEDS TRUST  
SEE ALSO 26  
HEARING:  
Petition for INSTRUCTIONS BY TRUSTEE, PFF BANK & TRUST

COUNSEL:  
PFF BANK & TRUST (PET)...ELIZABETH MCDONOUGH  
PFF BANK & TRUST (TEE)...ELIZABETH MCDONOUGH

**NOTE TO COURT: THIS IS A PROFESSIONAL FIDUCIARY FILE. PLEASE  
SCHEDULE ALL FUTURE HEARINGS ON THURSDAY.**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for instructions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. This is a Special Needs Trust. The trustee requests instructions from the court. Although stated no where in the petition and not stated in the caption as is required by Local Rules of Court, Rule 20-601, the court has the authority to instruct the trustee pursuant to Pr.C. § 17200(b)(6).
2. Petitioner refers to the beneficiary of the Special Needs Trust as "the child", but never sets forth "the child's" age. Please file verified supplement.
3. The court has appointed Attorney Smith-Ortiz for the beneficiary. Between Ms. Smith-Ortiz and Linda Verburgt of PFF it has been determined that the beneficiary has been dropped from the case load at Inland Regional Center because the mother/caregiver has not taken the beneficiary there. The beneficiary has not been enrolled in the Colton School District for over a year. There is no record of the beneficiary being enrolled in the Moreno Valley School District. The court authorized the purchase of a home for

the beneficiary and her mother/caregiver. The home was purchased. The home is being neglected. The landscaping has been neglected. Neighbors have reported police activity at the home. There are allegations that the extended family has now moved into the home and 1 or more non-relatives are also living there. The mother "lost" the family car and the trustee has been paying for a rental so mother could take beneficiary to school. However, it is noted that the school would likely provide door-to-door transportation.

4. On the issue of the car petitioner requests instructions to expend \$15,000 to \$18,000 to purchase a car. The trust would pay the insurance. Who would hold title? If the trust holds title and the mother or others in the household drive the car would this create a liability problem? If the mother is not taking the child to school and the school will provide door to door service, then why is this necessary? File verified supplement.
5. Petitioner requests that it be instructed to hire a case worker for the purpose of verifying that beneficiary is enrolled in and attending school. Case worker would also check on the weekly progress of the child. Case worker would need a court order allowing case worker to check on progress, converse with teacher and check records. Petitioner would also like the order to allow the case worker to enter the home and verify the care of the home and the beneficiary. Petitioner sets forth no anticipated costs for this service. Petitioner sets forth no public agency alternatives or even if there are public agency alternatives available. File verified supplement.
6. Petitioner seeks court's instructions on who should be allowed to live in the trust house. Petitioner suggests that it should be limited to beneficiary, mother/caregiver and any other minor children of the mother/caregiver. Any children of mother/caregiver who live there and are over the age of 18 should be required to pay reasonable rent. What constitutes a reasonable rent is not set forth in the petition. File verified supplement.
7. It is believed that the mother/caregiver may be involved in illicit drugs. Petitioner indicates that it is concerned that the mother/caregiver salary is being used for drugs instead of the care of the beneficiary. Petitioner would like to condition payment of salary on monthly drug testing. Petitioner would further like to condition the payment of stipend on proof of beneficiary's enrollment and attendance in school and the fact that persons living in the home are limited as indicated in note 6. Is this actually a salary or is it a stipend for the care of the minor? If it is a salary, can it be withheld after it has allegedly been earned? Is there evidence that the mother/caregiver is in fact not caring for the child, other than neglecting her schooling? File verified supplement.
8. It is petitioner's belief that the beneficiary is now behind in school and would like to be instructed to hire tutors to bring the beneficiary current in her studies.
9. Petitioner would like to be instructed to hire a gardener to keep up the landscaping of the trust house.

10. Attorney requests fees of \$5,569.50 for the bringing of this petition representing 23.7 hours at \$235 per hour. Amount is itemized.

RECOMMENDATION: Court's discretion.

NMT

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06013

CASE NAME: REYNA HERNANDEZ SPECIAL NEEDS TRUST  
SEE ALSO 25

HEARING:  
THIRD/CURRENT Account and Report of PFF BANK & TRUST and  
Petition for allowance of fees filed.

COUNSEL:  
PFF BANK & TRUST (PET)...ELIZABETH MCDONOUGH  
PFF BANK & TRUST (TEE)...ELIZABETH MCDONOUGH

**NOTE TO COURT: THIS IS A PROFESSIONAL FIDUCIARY FILE. PLEASE  
SCHEDULE ALL FUTURE HEARINGS ON THURSDAY.**

GENERAL INFORMATION **Continued from 9-3-08**

THIS CASE IS SET FOR HEARING ON 3<sup>rd</sup> Account Current and Petition for  
Fees and request for Instructions

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED-

1. Accounting period covers 6/1/06 – 5/31/08.
2. Pursuant to the terms of the special needs trust, petitioner as trustee has received the sum of \$20,586.82 as trustee's fees. Petitioner requests confirmation of such payment for such services. JTD
3. Petitioner has paid to IBAR Settlement Co., a member of the Trust Advisory Committee the sum of \$20,586.82 pursuant to the terms of the special needs trust. Need verified supplement of these expenses. **Supplement filed. See pink tab in file.**
4. Attorney requests fees of \$2,350.00. Billed at \$235/hour for 10 hours. Itemized. JTD

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **9/8/10**  
**(KRA/NMT )**

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS06953

CASE NAME: EST OF WILLIE MAE GRANT  
SEE ALSO 28

HEARING:  
FIRST/CURRENT Account and Report of BETTY J GRANT and Petition  
for allowance of fees filed.

COUNSEL:  
BETTY J GRANT (PET)...JAMES B CHURCH  
WILLIE MAE GRANT (DEC)...  
DEPARTMENT OF HEALTH SERVICES (TP )...PRO/PER  
DOROTHY M DIXON (DUANE P BOOTH )...DUANE P B

GENERAL INFORMATION: **continued from 5/29/08.**  
**Continued from 8-25-08**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for its  
Settlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Letters of Administration issued 4/18/06 (full authority, no bond)
2. Petitioner alleges the estate is in a position to be closed. However,  
there is a pending claim from Dept. of Health Services as well as  
real property to sell
3. Petitioner alleges a request for statutory compensation will be  
made at the time of the filing of the final account.
4. Attorney alleges that a request for statutory fees, including a  
request for allocation of those fees to Attorney Robert Witt  
(petitioner's former attorney), will be sought at the time of the filing  
of the final accounting.

RECOMMENDATION:

Recommended for approval absent objection Set hearing for the next status report and/or account for 8-31-09. Any accounting to be filed 30 days in advance. Estate to remain open until that time.  
(GLS/NMT )

XREF SPR07005

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS07005

CASE NAME: MTR OF JACK LESLIE SIMMONS  
SEE ALSO 27

HEARING:  
Petition for ORDERS AUTHORIZING PETITIONER TO SELL REAL  
PROPERTY

COUNSEL:  
DOROTHY M DIXON (PET)...DUANE P BOOTH  
BETTY J GRANT (OBJ)...JAMES B CHURCH  
OTIS GRANT (JAMES B CHURCH )...JAMES B C

GENERAL INFORMATION

Continued from **4/17/08**. Attorney Flory to file written response by 5/15/08.  
Continued from **5/29/08**. Accounting to be filed in SPRSS06953 (matter 24  
above)

**Continued from 8-25-08.**

THIS CASE IS SET FOR HEARING ON Petition to sell real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED-

1. On 6/26/07 matter came on for Status conference. Court and counsel  
coffered and settlement reached in that Otis and Betty Grant would  
obtain a loan of \$100,000 to pay off petitioner according to the fair  
market value. Petitioner alleges that the court granted Otis and Betty 6  
months to complete the agreement and that the 6 months has elapsed;  
however, the settlement agreement in the file does not state a given  
completion date.
2. Petitioner requests that the tenant be required to pay rent and for the  
personal representative to pay the probate referee to determine the  
rental value.



3. Petitioner requests that the court authorize petitioner to take exclusive possession of the real property, evict the present occupants, and list the property for sale, so that from the escrow petitioner shall pay to herself \$100,000 plus 50% of the FMV and that after all the fees and costs are paid the remaining funds in escrow are distributed to Otis and Betty Grant.
4. **Need Attorney Flory's written response.**
5. **Objections filed by Betty Grant, executor of the estate of Willie Mae Grant. Objector alleges that the property is not the property of the trust, but is the property of the Estate of Grant. Objector alleges that she is currently selling the property and that the property is in escrow.**

RECOMMENDATION: Matter is contested. Set for evidentiary hearing.  
(/GLS/NMT )

X REF SPR06953

Superior Court of Calif, County of San Bernardino

Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

**MISC**

-----  
DATE: 11/04/08

TIME: 10:30

DEPT: E1  
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***CASE #: FSB055940***

CASE NAME: PEOPLE OF THE STATE OF CALIFORNIA VS. EPHRAIM  
PAUL SHUBIN

HEARING:

Hearing Re: PROGRESS REPORT PC 1368

CHARGES 1)215(A) PC-F

APPEARANCES DEFENDANTS PRESENCE WAIVED (IN CUSTODY)

	COUNSEL:
STATE	(PET)...DISTRICT ATTORNEY
DEFENDANT	(DFDT)...PUBLIC DEFENDER
PUBLIC GUARDIAN	( )...COUNTY COUNSEL

GENERAL INFORMATION Do not see a Pen. C. § 1368 report in file.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH CONSERVATORSHIPS

-----  
DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: CONPS0600083

CASE NAME: MTR OF PAUL DONALD JENKINS

HEARING:  
FIRST REPORT OF CONSERVATOR WITH WAIVER OF Account and  
Report of P DAVID JENKINS and Petition for allowance of fees filed.

COUNSEL:  
P DAVID JENKINS (CPE)...HORSPOOL & PARKER  
PAUL DONALD JENKINS (CEP)...MARK J. A. FLORY  
P DAVID JENKINS (CPE)...HORSPOOL & PARKER  
PAUL DONALD JENKINS (CEP)...MARK J. A. FLORY

GENERAL INFORMATION No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: CONPS0800199

CASE NAME: JAMES TIMOTHY CLAYTON

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
BRENDA L CLAYTON (CPE)...PRO/PER  
JAMES TIMOTHY CLAYTON (CEP)...JAMES B CHURCH

GENERAL INFORMATION

Temporary orders granted on 08/07/08, person and estate, no bond.

**Continued 9-2-08. Per Conservator the Conservatee is in Bakersfield at a neurology facility. Mr. Church was to visit Conservatee in Bakersfield and file report of counsel. Nothing new filed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests no bond be set per Pr. C. § 2323. Please set forth authority how worker's compensation classifies as a public benefit. Need to file verified supplement.
  - a. Alternatively, based upon estate value and annual income of \$19,392.00. As of 1/1/08, bond must be increased to include a reasonable amount for the cost of recovery to collect on the bond. For estates less than \$500,000 a 10% increase has been determined to be the reasonable amount of increase. Pr.C. 2320(c)(4), CRC Rule 7.207. Suggest \$21,332.00 bond.
2. Petitioner requests Pr. C. § 2590 powers to collect, pay, compromise, arbitrate or otherwise adjust claims, debts or demands. Pr. C. § 2591(p).

3. Petitioner requests authority to apply and receive public benefits, Social Security and SSI benefits the proposed Conservatee may receive.
4. Petitioner request medical powers and also medical powers subject to limitations in 2356. Need capacity declaration.
5. Court may wish to read confidential screening form; tabbed.
6. Temporary and general Court Investigator report filed.
7. Petitioner requests Court Investigator's fee be waived due to financial burden of the proposed Conservatee. He is currently receiving worker's compensation income.
8. Attorney James Church appointed for proposed Conservatee. Need report of counsel.

#### RECOMMENDATION

Need to clear notes 1, 4 and 8 then Court's discretion. If approved, set hearing for filing of Inventory and Appraisal care plan and proof of recordation of letters, including proof of service of Inventory and Appraisal instructions for objection to Inventory and Appraisal, order appointing Conservator and care plan in accord with Pr.C. §§ 1830, 2313, 2352 and 2610 for **6-16-09**. Set hearing for accounting review for **1-12-09**. Accounting to be filed 30 days in advance.

(cbr/NMT )

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: MC MS00031

CASE NAME: IN THE MATTER OF KIM LISA BLACK  
SEE ALSO 24

HEARING:

Waiver of account and for final distribution.

COUNSEL:

JUNE BELAN	(PET)...HEALY & HEALY
KIM LISA BLACK	(CEP)...
JUNE BELAN	(CPE)...HEALY & HEALY
KIM LISA BLACK	(CEP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of account (Pr.C. § 2628) and Petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Accounting period covers 10-01-06 to 08-31-08 (22 months).
- 2 Zero assets on hand.
- 3 Conservator petitions for waiver of accounting as a matter of law per Pr.C. § 2628 on basis assets are less than \$15,000 and income was less than \$2,000 exclusive of public benefits.
- 4 Petitioner waives compensation.
- 5 On 01-09-07, Court ordered Letters of Conservatorship of the Person and Estate of Kim Lisa Black to be issued forthwith to Doreen Belan Gann as sole conservator, due to co-conservator's death, no bond. To date, it does not appear that letters have been filed. Need new letters of conservatorship.
- 6 Attorney requests fees of \$1,200 to be paid from the Special Needs Trust based on 4 hours of work at \$300/hour (itemized). Judge to decide if hourly rate is reasonable.

- 7 If there are no assets in the estate, as all assets are in the Special Needs Trust, Court may wish to determine that conservatorship of estate is no longer required. Judge to decide.
- 8 No opposition filed at the time of review of this file.

RECOMMENDATION:

Need new letters of conservatorship, Court's determination re attorney's fees and court's ruling re note 7. If Court allows conservatorship of the estate to continue, Court to set next Accounting Review for **11-10-09**. Accounting to cover the period of 09-01-08 to 08-31-09. Any accounting to be filed 30 days in advance.

(vet/NMT )

XREF SCV253601

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: RC RS00407

CASE NAME: LUPE R MENDOZA

HEARING:  
Hearing re Final Discharge

	COUNSEL:
SAMUEL MENDOZA	(PET)...CURTIS R AIJALA
LUPE R MENDOZA	(PCE)...EUCLID LAW CENTRE
JULIA Y HERRERA	(OBJ)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipt filed.
2. Need exparte final discharge order.

RECOMMENDATION:  
Require petitioner to file final discharge order.

NMT



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: RC RS00565

CASE NAME: KIRSTEN L STETLER

HEARING:

Report Sale and Petition for Order Confirming Sale of Real  
Property.

COUNSEL:

ANDREA STETLER (PET)...MAUREEN MURATORE  
KIRSTEN L STETLER (PCE)...

Address	1360 N. Helen Ave., Ontario APN# 1008-423-08-0-000
Appraised value	\$400,000
Sale price	<b>\$324,900 Sale is not permissible at this price. Sale price must be within 90% of the appraised value. Minimum sale price is \$360,000. Code does not give court discretion to allow sale at a lower price. Pr.C. §§ 2543(b) and 10309(a)(3).</b>
First overbid	<b>Based on improper price \$341,645 Based on proper sale price \$378,500</b>
Deposit	<b>\$3,000 Insufficient, must be 10%</b>
Commission	6%
Additional bond	<b>Court needs to set bond review date at request of petitioner, for a date after the close of sale, assuming the sale goes forward.</b>
Reason for sale	Pay expenses.

Exposure to market

Multiple listing

Notice

**File proof of publication.**

**NMT**

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/04/08 TIME: 10:30 DEPT: E1  
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CASE #: RC RS00607

CASE NAME: BETTY MAY SLOAN

HEARING:  
Petition for FOR PAYMENT OF ATTORNEY'S FEES TO COURT  
APPOINTED COUNSEL

COUNSEL:  
LORRAINE MORRIS. (PET)...BROCK LAW OFFICE  
BETTY MAE SLOAN (CEP)...MAUREEN MURATORE  
BETTY MAE SLOAN (CEE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for attorney fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner is the court appointed attorney for the Conservatee. Petitioner requests fees of \$1,732.50 representing 7.7 hours at \$225 per hour. Amount is itemized.
2. At the time of the end of the first accounting period on 12-24-07 the estate had assets of \$92,189.68. It is not known what the condition of the estate is now.

RECOMMENDATION:  
Court's discretion.

NMT

Superior Court of Calif, County of San Bernardino

Page: 1

CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

PROBATE

-----  
DATE: 11/04/08

TIME: 9:00

DEPT: E2  
-----

CASE #: BPRBS00974

CASE NAME: LEOLA N WOOD

SEE ALSO 2

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CHARLES F WOOD

(PET)...RAPPORT & MARSTON

JEFFREY O WOOD

(PET)...RAPPORT & MARSTON

LEOLA N WOOD

(DEC)...

GENERAL INFORMATION Continued from 10-2-07. No appearance. Clerk has given notice. Nothing new filed.

Continued from **11/20/07** at request of counsel. Nothing new filed.

Continued from **3-25-08**. Nothing new filed.

Continued from **4-29-08** to file bank and security statements. Nothing new filed.

**Continued from 5-27-08 and 9/30/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory and appraisal has been filed.
2. Copies of investment account statements verifying the balance of cash or securities shall be filed with all inventories and/or accountings. Please file those documents.

RECOMMENDATION:

Require petitioner to file bank and security statements.

(/cbr/NMT/gls)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: BPRBS00974  
CASE NAME: LEOLA N WOOD  
SEE ALSO 1

HEARING:  
Probate status report filed.

COUNSEL:  
CHARLES F WOOD (PET)...RAPPORT & MARSTON  
JEFFREY O WOOD (PET)...RAPPORT & MARSTON  
LEOLA N WOOD (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 9/5/06 (full authority, no bond)  
Continued from **10-16-07** at request of counsel. Nothing new filed.  
Continued from **11/20/07** at request of counsel. Nothing new filed.  
Continued from **3-25-08** at request of counsel. Nothing new filed.  
Continued from **4-29-08** by court for proper notice. Nothing new filed.  
**Continued from 5-27-08 and 9/30/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN HE PAPERS ARE NOTED;

1. Status report filed by counsel indicating that one of the representatives has not been cooperating with preparation of the accounting. The non-cooperating representative is now in rehab and counsel indicated that he indicated that he would not be able to prepare an accounting until 12-17-07. It is now 3-10-08 and no accounting or status report has been filed. The document filed by counsel does not comply with the requirements of Pr.C. §§ 12200 or 12201. First is it not prepared by the personal representative. Second, it is not accompanied by the proper notice.
2. A declaration was filed by counsel on 3/18/08 requesting a 30 day continuance on the basis that he has been engaged in several federal and state appellate cases. He states that this estate is ready to close upon the drafting of the final account.

3. It appears that an additional status report has been filed to be heard on 11/04/08.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as set forth in Pr.C. §11050. There is no bonding company to notice. Court may wish to trail hearing to **11/04/08** Status report and application for continuance to file 1<sup>st</sup> and final accounting.

/NMT/cbr/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700376

CASE NAME: MARY FRANCES PEREZ  
SEE ALSO 4

HEARING:  
Order to Show Cause re: SANCTIONS filed by JOSE GUADALUPE PEREZ.

COUNSEL:  
JOSE GUADALUPE PEREZ (PET)...BRYANT C MACDONALD  
MARY FRANCES PEREZ (DEC)...  
DEPARTMENT OF HEALTH CARE SERV(TP )...PRO/PER

GENERAL INFORMATION:  
**Continued from 9/30/08. No appearance and court set this OSC**

THIS CASE IS SET FOR HEARING ON OSC re sanctions for failure to appear  
and/or file an accounting or status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Matter is set for accounting review. No accounting/ status report has been  
filed.

RECOMMENDATION:  
Court's discretion.

NMT/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700376

CASE NAME: MARY FRANCES PEREZ  
SEE ALSO 3

HEARING:  
Accounting Review

COUNSEL:  
JOSE GUADALUPE PEREZ (PET)...BRYANT C MACDONALD  
MARY FRANCES PEREZ (DEC)...  
DEPARTMENT OF HEALTH CARE SERV(TP )...PRO/PER

See prior notes (page 3)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700422

CASE NAME: GERALDINE F MARTIN

**SEE ALSO 6**

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DAWN MARTIN (PET)...MARTIN & MCCORMICK  
GERALDINE F MARTIN (DEC)...

GENERAL INFORMATION:

Continued from 4/14/08 at request of counsel.

**Continued from 6-16-08 and 9/30/08. No appearance and nothing new filed.**

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED

1. Final Inventory & Account filed.
2. Account statements verifying cash assets as of date of death balances per local rule 20-908 filed. **However, the following deficiencies have been noted:**
  - a. **There are two (2) Certificate of Deposit (CD) accounts from Charter One and one (1) IDS Life Retirement account which are not included in the inventory and appraisal.**
  - b. **Statement for PFF Bank and Trust is not provided as listed on attachment one (1) of Inventory and Appraisal.**
  - c. **Ameriprise Financial Disciplined Equity Fund statement documents do not match figures on Inventory and Appraisal. Please file verified supplement reconciling discrepancies.**

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.

(kra/vet/NMT/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700422

CASE NAME: GERALDINE F MARTIN  
SEE ALSO 5

HEARING:

WAIVER OF Account and Report of DAWN MARTIN and Petition for  
allowance of fees filed.

COUNSEL:

DAWN MARTIN (PET)...MARTIN & MCCORMICK  
GERALDINE F MARTIN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final  
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner is the sole heir and waives an accounting.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$14,151.09. Cannot determine  
if statutory basis is accurate (see notes on page 5).
4. Petitioner requests reimbursement of the graduated filing fee of  
\$65.00. Ok.
5. Need to clear inventory deficiencies (see notes on page 5)

RECOMMENDATION:

Need to clear inventory deficiencies before this matter can be approved. If  
approved, court to set hearing on filing receipts and final discharge for 11/10/09.  
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700648

CASE NAME: MANUEL RAMIREZ TAFOYA

**SEE ALSO 8**

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

ROBERT T LUNA (PET)...JOSEPH C KASTNER  
MANUEL RAMIREZ TAFOYA (DEC)...  
HELEN P RODRIGUEZ (PET)...SELTERS & SELTERS  
DEPT. OF HEALTH CARE SRVCS EST(TP )...PRO/PER

GENERAL INFORMATION There are competing petitions

Continued from **9-4-07**. No proof of service filed as to the service of summons on  
the will contest. Only new thing filed was a proof of publication by Robert Luna.  
Nothing else new filed.

Continued from **10-23-07**. Continued at request of counsel as discovery is  
ongoing.

Continued from **12-11-07** for discovery. Only new thing filed is a creditor's claim  
and request for special notice by the Department of Health Care Services.

Continued from 4-29-08 for discovery on the Will contest issues. Nothing new  
filed.

**Last continued from 8/5/08 for more time to depose out of state witnesses.  
Nothing new filed.**

Petition 1:

THIS CASE IS SET FOR HEARING ON Petition to administer, with limited  
I.A.E.A. authority and no bond, filed by Robert Luna.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner seeks limited authority. All assets are real property. Petitioner is  
a resident of the State of California. Bond is therefore not required.
2. Petitioner requests that the court order that any discovered liquid assets  
be placed in a blocked account. If court agrees to this then court should

- order that petitioner notice court within 72 hours of receipt of liquid assets into the estate so that the court can set a control date for proof of deposit.
3. File certificate of assignment. Only certificate of assignment filed is attached to the Will contest. As the Will contest deals with the other petition it would appear that a certificate of assignment must be filed as to this petition as well.

Petition 2:

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond, by Helen Rodriguez.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the assets of the estate are held in a trust and probate is only being opened to clarify title to the property.
2. File certificate of assignment.
3. A will contest has been filed alleging that the testator was not competent at the time of the execution of the will and that the will was not executed with formalities required by the code. A summons has been issued. Need proof of personal service on all 53 intestate heirs. The will contest must be resolved before administration can begin. **Supp: Notice and acknowledgement of receipt and signatures of all 53 heirs filed.**

RECOMMENDATION:

A will contest has been filed. That matter must be dealt with prior to determining either of the above petitions. Set for contested hearing.

NMT/gls

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08

TIME: 9:00

DEPT: E2  
-----

CASE #: PROPS0700648

CASE NAME: MANUEL RAMIREZ TAFOYA  
SEE ALSO 7

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority  
under IAEA

COUNSEL:

ROBERT T LUNA

(PET)...JOSEPH C KASTNER

MANUEL RAMIREZ TAFOYA

(DEC)...

HELEN P RODRIGUEZ

(PET)...SELTERS & SELTERS

DEPT. OF HEALTH CARE SRVCS EST(TP )...PRO/PER

See prior notes (matter 7)

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08

TIME: 9:00

DEPT: E2  
-----

CASE #: PROPS0700900

CASE NAME: ARMANDO VALENCIA JR.

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

ARMANDO VALENCIA III (PET)...DENNIS M ASSURAS

ARMANDO VALENCIA JR (DEC)...

STATE OF CALIFORNIA FRANCHISE (TP )...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner was appointed administrator on 4/1/08 with bond fixed at \$401,000. No Letters of Administration have yet issued as no bond has been posted.
2. No inventory is filed, however, inventory is premature as letters have not issued.

RECOMMENDATION:

Continue Inventory review 90 days. Set OSC re status of issuance of Letters of Administration for 12/2/08.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0701062

CASE NAME: JUAN PAREDES

HEARING:

Hearing Re: report of administrator/ptn for wvr of referee

COUNSEL:

JOAQUIN PAREDES (PET)...GITZGERALD & GREEN  
JUAN PAREDES (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Report of Administrator and Petition for Waiver of Probate Referee Appraisal and for Discharge of Personal Representative (Pr.C. §12251)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that attempts were made to prevent foreclosure of the estate real property, but all efforts were unsuccessful. Additionally, no surplus funds were distributable to the estate. Therefore, there are no additional assets subject to probate administration and petitioner requests that the estate be closed and that petitioner be discharged.
2. Need notice of hearing and proof of service to B.M. Garvin, Probate Referee.

RECOMMENDATION:

Need notice to the probate referee and then court's discretion. If court discharges the personal representative, there is no need for future review dates.  
(gl)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800004

CASE NAME: JACKIE RAY LANG

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SHANNON LANG	(PET)...ALON DARVISH
JACKIE RAY LANG	(DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 4/1/08 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. No inventory is filed. Need same.

RECOMMENDATION:

Find out status.

(gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800028

CASE NAME: shirley r hall

HEARING:  
Hearing re: Inventory and appraisal

	COUNSEL:
STEPHANIE SMITH	(PET)...SAL BRIGUGLIO
SHIRLEY R HALL	(DEC)...
WAYNE BALDWIN	(TP )...MARGARET OPPEL

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800040

CASE NAME: WILLIAM J. REIFEL

HEARING:

Hearing re: Inventory and appraisal

	COUNSEL:
JUDY TILLMAN	(PET)...PAUL ALLAN LENZ
WILLIAM J. REIFEL	(DEC)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800066

CASE NAME: SHARLA L. GOOCH

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DOUGLAS E. GOOCH (PET)...KARL D MOWERY  
SHARLA L. GOOCH (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 3/18/08 (limited authority, no bond)

**Continued from 9/30/08. No appearance and nothing new filed.**

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. No inventory is filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing  
in accord with Pr.C. § 2614.5 and/or 8505.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800852

CASE NAME: ISABEL AVINA BROWN

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

SYLVIA MARY APARICIO	(PET)...	ANTHONY G LAGOMARSINO
RAY AVINA VARGAS	(PET)...	ANTHONY G LAGOMARSINO
ISABEL AVINA BROWN	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters  
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Will waives bond.
2. Need to file proof of publication.
3. Will is not self-proving in that the witness attestation is not under  
penalty of perjury per CCP 2015.5. Need proof of publication.

RECOMMENDATION:

Need to clear notes. If approved, set hearing on filing Inventory and Appraisal for  
6/16/09. Set hearing on accounting review for 1/12/10. Accounting to be filed 30  
days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800854

CASE NAME: THE MOFFITT FAMILY TRUST

HEARING:

Petition for ORDER DETERMINING TITLE TO PERSONAL PROPERTY

COUNSEL:

STEVEN ALAN MOFFITT (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Order Determining Title to Personal Property (Pr.C. §17200; §850)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service per Pr.C. §851.
2. Petitioner is the co-trustee with Linda Carol Davis and Patricia Gail Moffitt of the Moffitt Family Trust created 5/5/98 and amended on 3/12/04. The original settlors died on 9/22/03 and 5/18/06 respectively. Upon the death of the first trustor, Doris Moffitt, Junior Leon Moffitt become the sole owner of certain common stock (set forth in the petition-tabbed). Junior Moffitt did not file an Affidavit-Death of Joint Tenant to remove his deceased spouse's name from the title of the common stock nor did he record any document transferring ownership of the property to himself as Trustee. The Trust generally itemizes that certain "bonds, securities,, certificates of deposit, treasury bills or notes", etc., were assets of the Trust. Petitioner seeks determination of the court that the stocks listed should be considered Trust assets pursuant to the authority in Estate of Heggstad (1993) 16 Cal App 4th 943 (1993) 15 Cal. App. 4<sup>th</sup> 943.
3. No objections filed at the time of the review of this file.

RECOMMENDATION:

Need notice and then court's discretion.

(gls)

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800856

CASE NAME: WILLIAM H. KIRGAN

HEARING:

Hearing re: Petition for Letters of Admin. WWA W/ Limited  
Authority under IAEA

COUNSEL:

LOIS LEFLAR (PET)...MICHAEL R. WEINSTEIN  
WILLIAM H. KIRGAN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with  
Will Annexed with limited authority under IAEA by PPF

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner requests bond be fixed at \$131,287.00. Appears adequate. JTD
2. Petitioner is the nominee of the residual beneficiary, the Salvation Army, who is also the named alternate executor. The first named executor is deceased. Unless the Will specifically provides for designation powers, an executor shall not have the authority to name a successor executor (Pr.C. §8422). Decedent's Will does not specify designation powers. Therefore, the Public Administrator would have priority unless the Public Administrator also declines to act.
3. Need to file notice of petition to administer estate and proof of service to the Public Administrator of San Bernardino County.
4. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800876

CASE NAME: MTR OF MARIA ANDRADE ORTIZ

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full  
Authority under IAEA.

COUNSEL:

EMILY O VELA (PET)...LAYNE A BARTHOLOMEW  
MARIA ANDRADE ORTIZ (DEC)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: RPRRS03008

CASE NAME: KEITH ELLIS NYBERG

HEARING:  
Accounting Review

COUNSEL:  
DENNIS NYBERG (CAD)...KEVIN R BROWN  
KIMBERLY FISHER (CAD)...KEVIN R BROWN  
KEITH ELLIS NYBERG (DEC)...

GENERAL INFORMATION:  
Letters of Administration granted 5/10/06 (full authority, no bond)  
Prior status report granted 10/30/07

THIS CASE IS SET FOR HEARING ON Accounting Review/Status report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. No accounting or further status report is filed. Petitioners were previously attempting to sell the estate real property.

RECOMMENDATION:  
Find out status.  
(gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: RPRRS03074  
CASE NAME: GEORGIANA SHINE

HEARING:  
Accounting Review

COUNSEL:  
JOSEPHINDER SHINE (PET)...ELIZABETH MCDONOUGH  
GEORGIANA SHINE (DEC)...

GENERAL INFORMATION

Continued from 3-18-08. Nothing new filed.

Continued from 04/22/08 at request of counsel. Counsel stated that the only asset is real property and has not sold. Nothing new filed.

**Continued from 05-20-08 and 7/29/08 at request of counsel. It is noted that family is needing to make a determination on what to do with the house. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Declaration filed, however it appears to be a status report. Petitioner indicates the only asset in the estate is the real property. Petitioner also states the real property cannot be sold and is now being rented. Petitioner requests an additional 30 days to file an accounting.
2. File notice of hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting notice must indicate a right to an accounting in accord with Pr.C. § 10950. This form of notice is mandatory. **However, there are waivers of accounting from the residual heirs attached. Although, still need notice of hearing filed.**

RECOMMENDATION:

Need notice. If approved Court may wish to continue Accounting Review for 09/30/08. Any accounting to be filed 30 days before hearing.

(NMT/cbr/vet/cbr/gls )

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: VPRVS002998

CASE NAME: ESTATE OF BETTY LOU KEPLEY  
SEE ALSO 22 23

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
BETTY LOU KEPLEY (DEC)...  
PUBLIC ADMINISTRATOR (SA)...HORSPOOL & PARKER

GENERAL INFORMATION  
**Continued from 9/2/08**

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Final Inventory and Appraisal filed. However, APN number is missing from real property address. Need corrected Inventory and Appraisal.

RECOMMENDATION:  
Need corrected Inventory and Appraisal.

NMT/cbr/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: VPRVS002998

CASE NAME: ESTATE OF BETTY LOU KEPLEY  
SEE ALSO 21 23

HEARING:  
OSC re: REMOVAL AND SURCHARGE

COUNSEL:  
BETTY LOU KEPLEY (DEC)...  
PUBLIC ADMINISTRATOR (SA )...HORSPOOL & PARKER

**Note to court: petitioner is the sole beneficiary per Public Administrator.**

GENERAL INFORMATION

Continued from **02-19-08** at request of counsel to clear notes.

Continued from **03/25/08**. At the time of the hearing Counsel represented that there are no assets left and notice was given to all parties. Court ordered citation for Kim Kepley who lives in Oklahoma. Citation issued. Return of citation filed.

**Mr. Kepley appeared by court call. Court ordered Mr. Kepley to file inventory and appraisal and accounting by 7-31-08. Court issued bench warrant and held until 9-2-08 hearing with \$50,000 bail. Petitioner may appear telephonically if he complies with court's order re inventory and appraisal and accounting and notice.**

**Last continued from 9/2/08. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON O.S.C. re removal and surcharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The court previously removed the administrator. The court amended its order on 12-5-07 and suspended the administrator. The administrator has failed to file and inventory and appraisal or an accounting. Court noted that there were a number of creditor's claims filed. Court order Attorney Parker to notice all creditors of the removal and surcharge hearing. No

proof filed to date. **Court's Minute Order of 9/2/08 shows that proof of notice to creditors was filed 2/26/08.**

2. Clerk has noticed the administrator.
3. An administrator can be personally liable for consequential injury to the estate or an interested party. See Pr.C. § 8804.
4. It should be noted from the Public Administrator report, the petitioner is the sole heir of the estate.
5. Citation served on 04/21/08.

RECOMMENDATION:

Court's discretion

/NMT/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 9:00 DEPT: E2  
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CASE #: VPRVS002998

CASE NAME: ESTATE OF BETTY LOU KEPLEY  
SEE ALSO 21 22

HEARING:  
Accounting Review

COUNSEL:  
BETTY LOU KEPLEY (DEC)...  
PUBLIC ADMINISTRATOR (SA )...HORSPOOL & PARKER

GENERAL INFORMATION

**Continued from 9/2/08. Court advises Kim Kepley to seek legal advice.**

THIS CASE IS SET FOR HEARING ON accounting review/status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Schedule A filed on 07/11/08. However, this does not classify as an accounting; merely one schedule within an accounting. Need entire accounting and report.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050. There is no bonding company to notice.

NMT/cbr/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN CONSERVATORSHIPS

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0600008

CASE NAME: BEATRICE ROSEKAMP

HEARING:  
Accounting Review

COUNSEL:  
LIZABETH GOODIE (PET)...BETTY AUTON-BECK  
BEATRICE ROSEKAMP (PCE)...

GENERAL INFORMATION:  
**Continued from 7-22-08 and 9/16/08. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

- 1 First accounting is due for the period 5/15/07 – 5/15/08. No accounting  
has been filed. Need same.

RECOMMENDATION:  
When an accounting is not filed as required, the court shall take action as  
specified in Pr. C. § 2620.2. Clerk to notice bonding company.

(vet/NMT/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0600074

CASE NAME: MTR OF GERALDEAN JEANETTE NEHER

HEARING:  
Petition for PAYMENT OF ATTORNEY'S FEES TO COURT APPOINTED  
COUNSEL

COUNSEL:  
JULIE G NEHER (CPE)...BUXBAUM & CHAKMAK  
GERALDEAN JEANETTE NEHER (PET)...MAUREEN MURATORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Payment of Fees to Court-  
Appointed Attorney

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioner/counsel requests fees of \$2,767.50. Billed at \$225/hour for 12.3 hours for services rendered to the conservatee. Services are itemized. JTD
2. Notice has been given and no objections are filed at the time of the review of this file.

RECOMMENDATION:  
Court's discretion  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0800114

CASE NAME: EDDIE JAMES STEPHENS  
SEE ALSO 27

HEARING:  
Order to Show Cause re: DISMISSAL filed by KALAUN T. STEPHENS.

COUNSEL:  
KALAUN T. STEPHENS (PCR)...EDWARD E. RIOS  
EDDIE JAMES STEPHENS (PCE)...DONNASUE SMITH-ORTIZ

No file available for review.



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0800114

CASE NAME: EDDIE JAMES STEPHENS  
SEE ALSO 26

HEARING:  
Status Conference

COUNSEL:  
KALAUN T. STEPHENS (PCR)...EDWARD E. RIOS  
EDDIE JAMES STEPHENS (PCE)...DONNASUE SMITH-ORTIZ

No calendar notes – Status Conference.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0800218

CASE NAME: CHARLES FRANCIS GUZY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHARLES ALAN GUZY (CPE)...E. JOAN NELMS  
CHARLES FRANCIS GUZY (CEP)...JAMES B CHURCH  
STEVEN JOSEPH GUZY (PCR)...E. JOAN NELMS

GENERAL INFORMATION

Temporary orders granted on 09/02/08, person and estate.

On 09/15/08 Bond reduced to \$70,000.

**Continued from 9/23/08. Objections filed by counsel for conservatee.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator  
person and estate by sons.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. Petitioners originally requested bond be set at \$450,000. However, most of the proposed Conservatee's property is real property. Bond was reduced to \$70,000 at on 09/15/08 based on liquid assets of \$69,600.00. However, it does not appear that the bond amount includes recovery fee. As of 1/1/08, bond must be increased to include a reasonable amount for the cost of recovery to collect on the bond. For estates less than \$500,000 a 10% increase has been determined to be the reasonable amount of increase. Pr.C. 2320(c)(4), CRC Rule 7.207. Court may wish to increase bond by \$7,000.
2. Petitioner seeks medical powers. Need capacity declaration.
3. Court Investigator report filed.
4. Attorney James Church appointed counsel on 08/25/08. Need report.
5. Petitioner indicates proposed Conservatee is receiving or entitled to VA benefits. Need notice to Veteran's Affairs.
6. Petitioner indicates proposed Conservatee is unable to attend the hearing. Need capacity declaration to support.

7. Need return of Citation.
8. Need notice of hearing and proof of service.
9. **Objections filed by counsel for conservatee.**

#### RECOMMENDATION

Need to clear notes and set for contested hearing.  
(cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: RC RS00484

CASE NAME: FRANCES SANDOVAL

HEARING:

SECOND Account and Report of DEBRA LOPEZ and Petition for  
allowance of fees filed.

COUNSEL:

GEORGE GARCIA	(PET)...CHRISTINA FERRANTE
DEBRA LOPEZ	(PET)...CHRISTINA FERRANTE
FRANCES SANDOVAL	(PCE)...

No file available for review.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: RC RS00522

CASE NAME: BRITTANY D HERLONG

HEARING:

Hearing Re: FIRST ACCOUNT AND REPORT OF HAROLD HERLONG

COUNSEL:

HAROLD D HERLONG (PET)...MARC L SAMSON  
BRITTANY D HERLONG (PCE)...MAUREEN MURATORE

GENERAL INFORMATION:

Accounting period 5-5-05 through 3-30-08

Assets: \$1,009,651.49 cash

\$179,606.76 non-cash assets.

**Continued from 8/12/08. Court decreased bond to \$193,000.40. Attorney Muratore requests the court to review her request to establish a special needs trust. On 8/19/08, the court requests further information in order to rule on establishing a special needs trust.**

THIS CASE IS SET FOR HEARING ON first account and request for fees.  
(Limited conservatorship)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatee receives monthly income and periodic lump sum payments from a civil litigation settlement. The Conservator is the father of the Conservatee. Conservator uses assets to pay for the speech therapy, income taxes, medical costs and legal expenses of the Conservatee. Petitioner personally pays all other expenses of the Conservatee for her support and education.
2. Petitioner waives fees.
3. Attorney waives fees from the estate through the first accounting.

4. Conservator was reimbursed \$50,000 in 2006 and \$5,000 in 2007 for costs advanced. Amounts are generally itemized. See pink tab in file. Did court wish a detailed itemization? Judge to decide.
5. Most recent Court Investigator report dated 3-18-08 is in the file.
6. Please file original bank statements to support assets on hand. Also, as this is a first accounting need all bank statements immediately preceding the date the Conservator was appointed. See Pr.C. § 2620(c)(2).
7. Court previously ordered bond reduced to \$193,000.40 on 8/12/08.
8. Need additional information re establishment of special needs trust as itemized on Court's Minute Order of 8/19/08 (tabbed).

**RECOMMENDATION:**

Need bank statements and additional information re establishment of special needs trust. If petition granted court will have to set future dates. Set hearing for the next account for 6-15-10, to cover the period of 3-31-08 through 3-30-10. Accounting to be filed 30 days in advance.

NMT/cbr/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS00680

CASE NAME: IN THE MATTER OF ANNA R FIK

HEARING:

NINTH Account and Report of DENISE KOUWE and Petition for allowance of fees filed.

COUNSEL:

DENISE KOUWE	(CPE)...GUAY P WILSON
DOUGLAS FIK	(CPE)...GUAY P WILSON
ANNA R FIK	(CEP)...EDWARD B FISCHER

GENERAL INFORMATION:

Accounting covers period: 7/1/05 – 6/25/08

Assets on hand: \$89,495.00 (cash)

THIS CASE IS SET FOR HEARING ON Ninth Account Current and Petition for allowance of fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners request fees of \$1,250.00 for their services during this accounting period. Billed at \$25/hour for 50 hours. itemized. JTD
2. Attorney requests fees of \$1,000.00. Billed at \$250/hour for four hours. Itemized. JTD
3. Petitioner requests that bond be decreased to \$125,000 (a total reduction of \$60,000). Appears adequate. JTD
4. Accounting is set up as a standard accounting, however, schedules are chronological rather than categorized. Court may wish to instruct petitioner that if a standard accounting is being prepared, then petitioner must categorize.
5. Need original bank statements to verify the balance of cash on hand per Pr.C. §2620(c).

**RECOMMENDATION:**

RFA subject to note 6 and court's discretion re fees and bond reduction. If approved, set next accounting review for 11/9/10. Accounting to be filed 30 days in advance.

(gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/04/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02412

CASE NAME: MTR OF JAIME B. AGUILAR

HEARING:  
Accounting Review

COUNSEL:

ROSA D. AGUILAR (CPE)...PRO/PER  
JAIME B. AGUILAR (CEP)...JUDITH RUNYON  
ROSA D AGUILAR (SC )...PRO/PER  
CONSUELO AGUILAR RODRIGUEZ (SC )...JAMES B CHURCH

GENERAL INFORMATION:

2<sup>nd</sup> Accounting is due for the period 1/8/05 – 1/7/07

**continued from 8/19/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE  
NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as  
specified in Pr.C. § 2620.2.

(gls)